

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001 :

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1:03 MDL 1570 (GBD)(SN)
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This Document Relates to:

Ray, et al. v. Iran, et al.

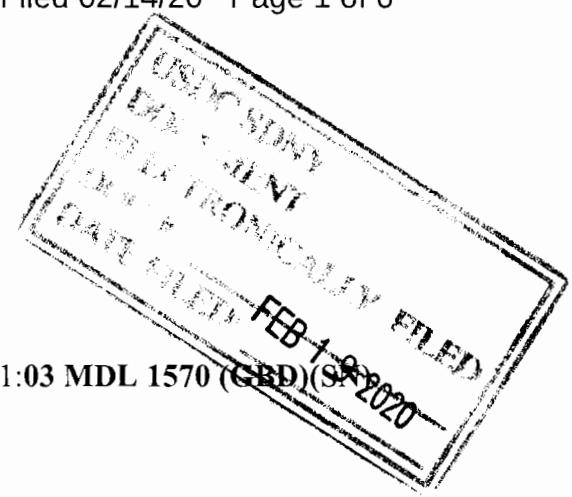
1:19-cv-00012 (GBD)(SN)

**[REDACTED] ORDER OF PARTIAL FINAL DEFAULT JUDGMENT
ON COMPENSATORY DAMAGES ON BEHALF OF RAY PLAINTIFFS**

Upon consideration of the evidence and arguments submitted by the *Ray* Plaintiffs, identified in **EXHIBITS A** and **B** to this Order, who are each a spouse, parent, child, or sibling (or the personal representative of an estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001 (as identified on **EXHIBIT A**), or the personal representative of an estate of an individual who was killed in the terrorist attacks on September 11, 2001 (as identified on **EXHIBIT B**),

WHEREAS, on August 28, 2019, the Second Amended Complaint, the Summons, and the Notice of Suit, and related documents, in English and all translated into Farsi, in the above-captioned case were served on all of the below listed Defendants (hereafter, the “Iran nation-state and political subdivision Defendants”) by mail in accordance with 28 U.S.C. §1608(a)(3):

1. The Islamic Republic of Iran;
2. Iran’s Ministry of Information and Security
3. Islamic Revolutionary Guard Corps;
4. Iran’s Ministry of Petroleum;
5. Iran’s Ministry of Commerce;



6. Iran's Ministry of Economic Affairs and Finance;
7. Iran's Ministry of Defense and Armed Forces Logistics;
8. The Central Bank of Iran;

WHEREAS, on August 28, 2019, the Clerk of this Court entered onto the Court's docket (Doc. Nos. 5004-5012) the Clerk's certification of the Court's mailing of the Second Amended Complaint, the Summons, and the Notice of Suit, and related documents, in English and all translated into Farsi, in the above-captioned case to the Foreign Ministry of the Islamic Republic of Iran for all of the above-listed Defendants in accordance with 28 U.S.C. §1608(a)(3); and

WHEREAS, the Clerk of this Court's mailing of the Second Amended Complaint, the Summons, and the Notice of Suit, and related documents, in English and all translated into Farsi, in the above-captioned case to the Foreign Ministry of the Islamic Republic of Iran for all of the above-listed Defendants in accordance with 28 U.S.C. §1608(a)(3) were all refused by the addressee or his agent and returned to Plaintiffs' counsel; and

WHEREAS, the Second Amended Complaint, the Summons, and the Notice of Suit, and related documents, in English and all translated into Farsi, in the above-captioned case were also served by diplomatic process upon on the Foreign Ministry of the Islamic Republic of Iran for all of the above-listed Defendants in accordance with 28 U.S.C. §1608(a)(4) on December 4, 2019;

WHEREAS, the Foreign Ministry of the Islamic Republic of Iran, on behalf of all of the above-listed Defendants, refused and rejected such diplomatic service of process on December 4, 2019;

WHEREAS, under cover of a letter dated December 26, 2019, the United States Department of State sent to the Clerk of this Court a set of Specific Authentication Certificates ("diplomatic notes") that detail the above-stated diplomatic service of process via the U.S. State

Department and the Foreign Ministry of the Swiss Confederation of the Second Amended Complaint, the Summons, and Notice of Suit, and related documents, in English and all translated into Farsi, in the above-captioned case in this case for all of the above-listed Defendants, and the Foreign Ministry of the Islamic Republic of Iran's refusal and rejection of same on behalf of all of the above-listed Defendants, with a copy to Plaintiff's counsel which was filed with the Court; and

WHEREAS, the Clerk of the Court for the United States District Court for the Southern District of New York has issued a Certificate of Default, dated February 12, 2020, in this case (*Ray* Doc. No. 209), and

WHEREAS, this case is related to *Havlish, et al. v. bin Laden, et al.*, 03-cv-09848 (GBD)(FM), and *Hoglan, et al. v. Islamic Republic of Iran, et al.*, 1:11-cv-07550 (GBD)(SN); and

WHEREAS, evidence as to liability was submitted by Plaintiffs in filings with this Court in *Havlish* on May 19, 2011, July 13, 2011, August 19, 2011, and December 15, 2011, in addition to supplemental evidence filed with this Court, including extensive evidence filed confidentially under seal, and in *Hoglan* on July 10, 2015, all of which was submitted into evidence in *Havlish* and in *Hoglan*, and, all of which, pursuant to Plaintiffs' Motion to Admit Related Case Evidence, filed February 13, 2020, (*Ray* Doc. No. 211), has been admitted into evidence and considered by the Court in this case; and

WHEREAS, full evidentiary hearings on liability were held in this Court in *Havlish* on December 15, 2011, and in *Hoglan* on August 17, 2015; and

WHEREAS, on December 22, 2011, this Court entered Findings of Fact and Conclusions of Law in *Havlish*, and in *Hoglan*, entered substantially similar Findings of Fact and

Conclusions of Law on August 31, 2015, and, in this case the Court takes judicial notice thereof and has entered Findings of Fact and Conclusions of Law; and

WHEREAS, based on the Court's consideration of all of the above, and all the files in this case and in the related cases, the Court finds that the *Ray* Plaintiffs have established their right to relief by evidence satisfactory to the Court pursuant to 28 U.S.C. §1608(e).

WHEREAS, based on the Judgment in *Havlisch*, the *Ray* Plaintiffs listed on Exhibit A hereto are entitled to partial final judgments for compensatory damages for solatium in the amounts of \$12,500,00 for each spouse of a 9/11 decedent; \$8,500,000 for each child of a 9/11 decedent; \$8,500,000 for each parent of a 9/11 decedent; and \$4,250,000 for each sibling of a 9/11 decedent, all such solatium amounts having been established in *Havlisch*;

WHEREAS, based on the Judgment in *Havlisch*, the *Ray* Plaintiffs listed on Exhibit B hereto who are the Personal Representatives of the Estates of 9/11 Decedents are entitled to partial final judgments for compensatory damages of \$2,000,000 for pain and suffering and, further, in amounts yet to be determined for economic losses;

It is **HEREBY ORDERED** that service of process was effected in accordance with 28 U.S.C. 1608(a), *et seq.* upon the following eight *Ray* Defendants.: (1) Islamic Republic of Iran; (2) Iran's Ministry of Information and Security; (3) Islamic Revolutionary Guard Corps; (4) Iran's Ministry of Petroleum; (5) Iran's Ministry of Economic Affairs and Finance; (6) Iran's Ministry of Commerce; (7) Iran's Ministry of Defense and Armed Forces Logistics; and, (8) Central Bank of the Islamic Republic of Iran; and it is **FURTHER**

ORDERED that partial final judgment is entered against the Iran nation-state and political subdivision Defendants listed above and on behalf of the *Ray* Plaintiffs, as identified in the attached **EXHIBIT A**, who are each a spouse, parent, child or sibling (or the estate of a spouse,

parent, child or sibling) of a victim killed in the terrorist attacks on September 11, 2001; and it is
FURTHER

ORDERED that Plaintiffs identified in **EXHIBIT A** are awarded solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in **EXHIBIT A**; and it is **FURTHER**

ORDERED that partial final judgment is entered against the Iran nation-state and political subdivision Defendants and on behalf of the *Ray* Plaintiffs, as identified in the attached **EXHIBIT B**, who are each the personal representative of the estate of a victim of the terrorist attacks on September 11, 2001; and it is **FURTHER**

ORDERED that the *Ray* Plaintiffs identified in **EXHIBIT B** are awarded compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in **EXHIBIT B**; and it is **FURTHER**

ORDERED that the *Ray* Plaintiffs identified in **EXHIBITS A and B** are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is **FURTHER**

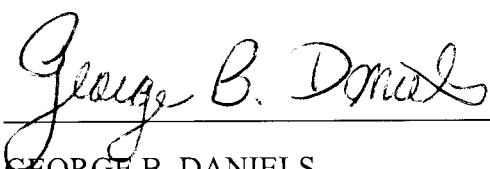
ORDERED that the *Ray* Plaintiffs identified in **EXHIBITS A and B** may submit applications for punitive damages, and the *Ray* Plaintiffs identified in **EXHIBIT B** may submit applications for economic damages as supported by the expert reports and analyses at a later date consistent with any future rulings made by this Court; and it is **FURTHER**

ORDERED that the Plaintiffs not appearing on **EXHIBITS A or B** and who were not previously awarded damages may submit in later stages applications for solatium and/or economic damages awards that may be approved on the same basis as currently approved for those Plaintiffs appearing on **EXHIBITS A or B** or in prior filings, or as otherwise appropriate.

SO ORDERED:

Date: FEB 19 2020

New York, New York



GEORGE B. DANIELS

UNITED STATES DISTRICT JUDGE

E X H I B I T A

EXHIBIT A

	Decedent <u>First Name</u>	Decedent <u>Middle Name</u>	Decedent <u>Last Name</u>	Decedent <u>Suffix</u>	Plaintiff <u>First Name</u>	Plaintiff <u>Middle Name</u>	Plaintiff <u>Last Name</u>	Plaintiff <u>Suffix</u>	Relationship to Decedent	Solatium
1.	Denease		Conley		Herman		Ray		Sibling	\$4,250,000
2.	Denease		Conley		Cherrie	L.	Allen		Sibling	\$4,250,000
3.	Denease		Conley		Irma	Joyce	Fletcher		Sibling	\$4,250,000
4.	Denease		Conley		Irma	Joyce	Fletcher		P.R. of Estate of Sibling (Earl Ray)	\$4,250,000
5.	Denease		Conley		Barbara		Haynes- Jenkins		Sibling	\$4,250,000
6.	Denease		Conley		Herman		Ray		P.R. of Estate of Sibling (James Ray)	\$4,250,000
7.	Denease		Conley		Stanley		Ray		Sibling	\$4,250,000
8.	Lee	Alan	Adler		Aaron		Adler		Sibling	\$4,250,000
9.	Lee	Alan	Adler		Alice	Doerge	Adler		Spouse	\$12,500,00 0
10.	Lee	Alan	Adler		Isabell	Dansiger	Adler		Parent	\$8,500,000
11.	Lee	Alan	Adler		Jay		Adler		Sibling	\$4,250,000
12.	Lee	Alan	Adler		Lauren	Sarah Adler	Martinelli		Child	\$8,500,000
13.	James	V.	DeBlase		Richard		DeBlase		Sibling	\$4,250,000
14.	James	V.	DeBlase		Anita		DeBlase		Parent	\$8,500,000
15.	James	V.	DeBlase		Anthony		DeBlase		Sibling	\$4,250,000
16.	Marisa		DiNardo- Schorpp		Harley		DiNardo		P.R. of Estate of Parent (Esterina DiNardo a/k/a Ester DiNardo)	\$8,500,000
17.	Marisa		DiNardo- Schorpp		Harley		DiNardo		Sibling	\$4,250,000
18.	Marisa		DiNardo- Schorpp		Pio		DiNardo		Parent	\$8,500,000
19.	Constantine		Economos		Andrew		Economos		Sibling	\$4,250,000
20.	Constantine		Economos		Olga		Valinotti		Sibling	\$4,250,000
21.	Constantine		Economos		Andrew		Economos		Co-P.R. of Estate of Parent (Leon Economos)	\$8,500,000

	<u>Decedent First Name</u>	<u>Decedent Middle Name</u>	<u>Decedent Last Name</u>	<u>Decedent Suffix</u>	<u>Plaintiff First Name</u>	<u>Plaintiff Middle Name</u>	<u>Plaintiff Last Name</u>	<u>Plaintiff Suffix</u>	<u>Relationship to Decedent</u>	<u>Solatium</u>
22.	Constantine		Economos		Olga		Valinotti		Co-P.R. of Estate of Parent (Leon Economos)	(See preceding line)
23.	Francesco		Garfi		Vito		Garfi		Sibling	\$4,250,000
24.	Francesco		Garfi		Salvatore		Garfi		Parent	\$8,500,000
25.	Francesco		Garfi		Marianna		Garfi		Parent	\$8,500,000
26.	John		Grazioso		Hank		Grazioso		Parent	\$8,500,000
27.	Timmy		Grazioso		Hank		Grazioso		Parent	\$8,500,000
28.	LeRoy	W.	Homer	Jr.	Theresa		Cooke		Sibling	\$4,250,000
29.	LeRoy	W.	Homer	Jr.	Michelle		Hargis		Sibling	\$4,250,000
30.	LeRoy	W.	Homer	Jr.	Christine		Homer		Sibling	\$4,250,000
31.	LeRoy	W.	Homer	Jr.	Christine		Homer		P.R. of Estate of Sibling (Thomas Freimark)	\$4,250,000
32.	LeRoy	W.	Homer	Jr.	Isle		Homer		Parent	\$8,500,000
33.	LeRoy	W.	Homer	Jr.	Monique		Homer		Sibling	\$4,250,000
34.	LeRoy	W.	Homer	Jr.	Marilyn		Johnson		Sibling	\$4,250,000
35.	LeRoy	W.	Homer	Jr.	Cheryl	Homer	Wilson		Sibling	\$4,250,000
36.	LeRoy	W.	Homer	Jr.	Germaine		Wilson		Sibling	\$4,250,000
37.	Andrew	Brian	Jordan	Sr.	Andrew	Brian	Jordan	Jr.	Child	\$8,500,000
38.	Leon		Lebor		David		Lebor		Sibling	\$4,250,000
39.	Leon		Lebor		Rina		Kaufman	a/k/a Joy Kaufman	P.R. of Estate of Parent (Philip Lebor)	\$8,500,000
40.	Patrick		McGuire		Danielle		McGuire		Spouse	\$12,500,000
41.	Patrick		McGuire		Mara		McGuire		Child	\$8,500,000
42.	Patrick		McGuire		Ryan		McGuire		Child	\$8,500,000
43.	Patrick		McGuire		Sean		McGuire		Child	\$8,500,000
44.	Patrick		McGuire		Shea		McGuire		Child	\$8,500,000
45.	Rocco		Medaglia		Annemarie		Medaglia		Parent	\$8,500,000
46.	Rocco		Medaglia		Diana		Medaglia		Child	\$8,500,000

	<u>Decedent First Name</u>	<u>Decedent Middle Name</u>	<u>Decedent Last Name</u>	<u>Decedent Suffix</u>	<u>Plaintiff First Name</u>	<u>Plaintiff Middle Name</u>	<u>Plaintiff Last Name</u>	<u>Plaintiff Suffix</u>	<u>Relationship to Decedent</u>	<u>Solatium</u>
47.	Rocco		Medaglia		Kathleen		Medaglia-Dellapenna		Sibling	\$4,250,000
48.	Rocco		Medaglia		Maryellen		Medaglia		Sibling	\$4,250,000
49.	Rocco		Medaglia		Michael		Medaglia		Sibling	\$4,250,000
50.	Rocco		Medaglia		Elizabeth		Medaglia-Cordes		Child	\$8,500,000
51.	Joseph	D.	Mistrulli		Joanne		Mistrulli		P.R. of Estate of Sibling (Frank Mistrulli)	\$4,250,000
52	Robert	M.	Murach		Mary	Ellen	Murach		Parent	\$8,500,000
53.	Robert	M.	Murach		Mary	Ellen	Murach		P.R. of Estate of Parent (Edward John Murach)	\$8,500,000
54.	Robert	M.	Murach		Richard	J.	Murach		Sibling	\$4,250,000
55.	Robert	M.	Murach		Katharine		Tynion		Sibling	\$4,250,000
56.	Louis	J.	Nacke		Paula	Nacke	Jacobs		Sibling	\$4,250,000
57.	Louis	J.	Nacke		Dale	Allen	Nacke		Sibling	\$4,250,000
58.	Louis	J.	Nacke		Dale	Allen	Nacke		P.R. of Estate of Parent (Louis P. Nacke)	\$8,500,000
59.	Louis	J.	Nacke		Dale	Allen	Nacke		P.R. of Estate of Parent (Philomena Nacke)	\$8,500,000
60.	Louis	J.	Nacke		Kenneth		Nacke		Sibling	\$4,250,000
61.	Louis	J.	Nacke		Louis	Paul	Nacke II		Child	\$8,500,000
62.	Louis	J.	Nacke		Joseph	Nicholas	Nacke		Child	\$8,500,000
63.	Salvatore	T.	Papasso		Thomas		Papasso		Sibling	\$4,250,000
64.	Sandra		Wright-Cartledge		Patricia		Mason		Sibling	\$4,250,000

TOTAL SOLATIUM DAMAGES \$411,733,000-

\$394,750,000.00



E X H I B I T B

Exhibit B

	<u>9/11 Decedent First Name</u>	<u>9/11 Decedent Middle Name</u>	<u>9/11 Decedent Last Name</u>	<u>Suffix</u>	<u>Economic Damage Amount</u>	<u>Non-Economic Damage Amount</u>	<u>Total Damage Amount</u>
1.	Denease		Conley		TBD	\$2,000,000	TBD
2.	Lee	Alan	Adler		TBD	\$2,000,000	TBD
3.	Francesco		Garfi		TBD	\$2,000,000	TBD
4.	Patrick		McGuire		TBD	\$2,000,000	TBD
5.	Rocco		Medaglia		TBD	\$2,000,000	TBD

TOTAL \$10,000,000

(economic loss amounts subject to further submission)